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Attorneys for Defendants  
VINTAGE WINE ESTATES, INC., PATRICK  
RONEY, KATHERINE DEVILLERS, and KRISTINA  
JOHNSTON

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MARILYN EZZES, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

VINTAGE WINE ESTATES, INC., PATRICK  
RONEY, KATHERINE DEVILLERS, and  
KRISTINA JOHNSTON,

Defendants.

Case No. 2:22-cv-01915-GMN-DJA

**NOTICE OF MOTION AND MOTION  
TO WITHDRAW AS COUNSEL OF  
RECORD (JONES DAY FOR  
INDIVIDUAL DEFENDANTS  
PATRICK RONEY, KATHERINE  
DEVILLERS, AND KRISTINA  
JOHNSTON)**


**NOTICE OF MOTION AND MOTION**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Kemp Jones, LLP and Jones Day, counsel of record for Defendants Vintage Wine Estates, Inc. ("Defendant Vintage Wine"), Patrick Roney, Katherine DeVillers, and Kristina Johnston in the above-captioned matter, hereby file this Motion to Withdraw as Counsel of Record, with Jones Day seeking to withdraw as counsel solely with respect to individual defendants Patrick Roney, Katherine DeVillers, and Kristina Johnston (collectively, the "Individual Defendants"), in accordance with United States District Court, District of Nevada LR IA 11-6, and based on the following memorandum of points and authorities.


DATED this 14<sup>th</sup> day of June, 2024.

KEMP JONES, LLP

  
Michael J. Gayan, Esq., Bar No. 11135  
Katrina Stark, Esq., Bar No. 16006  
3800 Howard Hughes Parkway, 17th Floor  
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*Attorneys for Defendants*

JONES DAY

  
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555 California Street, 26th Floor  
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*Attorneys for Defendants*

**MEMORANDUM OF POINTS AND AUTHORITIES**

The current Motion is straightforward. Jones Day seeks to withdraw as counsel for the Individual Defendants, with the consent of the Individual Defendants. Kemp Jones, LLP will continue to represent the Individual Defendants. Jones Day and Kemp Jones, LLP will continue to represent Defendant Vintage Wine.

LR IA 11-6 of the Local Rules of Practice for the United States District Court for the District of Nevada states in relevant part:

(b) If an attorney seeks to withdraw after appearing in a case, the attorney must file a motion or stipulation and serve it on the affected client and opposing counsel. The affected client may, but is not required to, file a response to the attorney's motion within 14 days of the filing of the motion, unless the court orders otherwise.

...

(e) Except for good cause shown, no withdrawal or substitution will be approved if it will result in delay of discovery, the trial, or any hearing in the case. Where delay would result, the papers seeking leave of the court for the withdrawal or substitution must request specific relief from the scheduled discovery, trial, or hearing. If a trial setting has been made, an additional copy of the moving papers must be provided to the clerk for immediate delivery to the assigned district judge, bankruptcy judge, or magistrate judge.

In other words, if there is no delay to discovery, trial, or any hearing in the case, LR IA 11-6 only requires notice of this Motion be served on the client and opposing counsel.<sup>1</sup>

Here, there is no risk of delay because the Individual Defendants are currently represented by Kemp Jones, LLP and will continue to be represented by Kemp Jones, LLP. Similarly, Defendant Vintage Wine is currently represented by Jones Day and Kemp Jones, LLP and will continue to be represented by Jones Day and Kemp Jones, LLP. All Defendants will continue to be represented in this case if the current Motion is granted. Of note, all Defendants have consented to the requested relief and provided their signatures on the Motion.


Therefore, Kemp Jones, LLP and Jones Day respectfully request that an order granting the Motion be entered confirming that Jones Day no longer represents the Individual Defendants in the above-captioned matter.

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<sup>1</sup> Counsel will serve all Defendants with a copy of this Motion. In addition, the Individual Defendants and Defendant Vintage Wine have consented to this Motion as evidenced by their signatures hereto.


1 DATED this 14<sup>th</sup> day of June, 2024.

2 KEMP JONES, LLP

3   
4 Michael J. Gayan, Esq., Bar No. 11135  
5 Katrina Stark, Esq., Bar No. 16006  
6 3800 Howard Hughes Parkway, 17th Floor  
7 Las Vegas, Nevada 89169

8 *Attorneys for Defendants*

9 JONES DAY

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11 John C. Tang (*Pro Hac Vice*)  
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15 San Francisco, California 94104

16 *Attorneys for Defendants*

17   
18 Patrick Roney

19 Katherine DeVillers

20 Kristina Johnston

21   
22 Amir Sadr, General Counsel on behalf of  
23 Vintage Wine Estates, Inc.  
24  
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26  
27  
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1 DATED this 14<sup>th</sup> day of June, 2024.

2 ~~KIMBLE JONES, LLP~~

3 Michael J. Gayan, Esq., Bar No. 11135  
4 Katrina Stark, Esq., Bar No. 16006  
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7 *Attorneys for Defendants*

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15 Patrick Roney

16 *Katherine DeVillers*  
17 Katherine DeVillers

18 Kristina Johnston

19 *Amir Sadr*  
20 Amir Sadr, General Counsel on behalf of  
21 Vintage Wine Estates, Inc.



1 DATED this 14<sup>th</sup> day of June, 2024.

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3 Michael J. Gayan, Esq., Bar No. 11135  
4 Katrina Stark, Esq., Bar No. 16006  
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14 *Attorneys for Defendants*

15 Patrick Roney

16 Katherine DeVillers

17 Kristina Johnston

18 Amir Sadr, General Counsel on behalf of  
19 Vintage Wine Estates, Inc.


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22 IT IS SO ORDERED.

23 DATED: 6/28/2024

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25  
26 DANIEL J. ALBRECHTS  
27 UNITED STATES MAGISTRATE JUDGE  
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**PROOF OF SERVICE**

I hereby certify that on the 27<sup>th</sup> day of June, 2024, I served a true and correct copy of the foregoing **NOTICE OF MOTION AND MOTION TO WITHDRAW AS COUNSEL OF RECORD (JONES DAY FOR INDIVIDUAL DEFENDANTS PATRICK RONEY, KATHERINE DEVILLERS, AND KRISTINA JOHNSTON)** via the United States District Court's CM/EMF electronic filing system to all parties on the e-service list and upon all Defendants via email.

  
An employee of Kemp Jones, LLP